

Charlestown Mall

Box 22

Document 1

AFFIRMATIVE ACTION

CHARLES A. GAETANO CONSTRUCTION CORPORATION

1506 WHITESBORO STREET

UTICA, NEW YORK 13502

(315) 733-4611

AFFIRMATIVE ACTION PROGRAM

JANUARY 1, 1982




Charles A.
Gaetano
Construction
Corporation

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

POLICY STATEMENT

CHARLES A. GAETANO CONSTRUCTION CORPORATION ABIDES BY THE REQUIREMENTS OF EXECUTIVE ORDER #11246, AND ALL THE REVISIONS PERTAINING TO EXECUTIVE ORDER #11246.

WE HAVE ADOPTED AN AFFIRMATIVE ACTION PROGRAM FOR MINORITY HIRING AND DO NOT DISCRIMINATE IN EMPLOYMENT PRACTICES ON THE BASIS OF RACE, COLOR, RELIGION, SEX OR NATIONAL ORIGIN.



JULIE C. BOOTH
EQUAL EMPLOYMENT OPPORTUNITY OFFICER

CHARLES A. GAETANO CONSTRUCTION CORPORATION

AFFIRMATIVE ACTION PROGRAM

BACKGROUND: This Company is a member of the Mohawk Valley Builders Exchange, Inc., Utica, N.Y. (MVBE). While MVBE has no formal affirmative action program, and while there is no formal "Hometown Plan" in the Mohawk Valley, MVBE attempts to keep this Company (and all its members) abreast of Equal Opportunity and Affirmative Action requirements by virtue of newsletters and educational seminars which we actively participate in.

- RECRUITMENT:
- 1.) Charles A. Gaetano Construction Corporation has collective bargaining agreements with various building trades unions in the Mohawk Valley. We therefore participate in various union apprenticeship programs that meet all affirmative action requirements established for this program by the New York State Department of Labor.
 - 2.) We have notified the various building trades unions with which we have Collective Bargaining Agreements, through our bargaining agent, the Labor Relations Section of the Mohawk Valley Builders Exchange (LRS), of our commitment to Equal Opportunity Employment in Construction, and the affirmative action steps we must take when working on federal or federally assisted construction projects.
 - 3.) We will initially recruit for employment from the halls of the building trades unions with which we have collective bargaining agreements. If the unions are unable to meet the affirmative action steps of this Company, then this Company will actively solicit for employment from the community at large. Steps taken here include: advertisement in local newspapers; the New York State Employment Service which has a very active minority recruitment program; notification to various minority community agencies; notification to various local women's groups; and notification to the Mohawk Valley Builders Exchange, Inc.
 - 4.) We evaluate each individual project for which employees must be hired and advise each trade union of our project needs.

- HIRING:
- 1.) We have established, as part of our personnel policy, a directive requiring that candidates evaluation be based upon certain objective requirements eliminating discrimination possibilities.

- 2.) We have instructed our Equal Opportunity Officer, who is responsible for interviewing and hiring, to provide equal employment opportunities for qualified applicants from minority groups.
- 3.) We maintain a file of the names and addresses of each minority worker referred for hiring, what action was taken and the reason therefore.

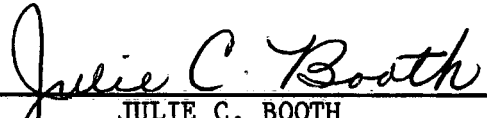
EMPLOYMENT:

- 1.) We maintain a working environment free of harassment for all employees, regardless of race, color, religion, sex, or national origin.
- 2.) We provide on the job training to all employees, including all minority employees, to assist them in developing their skills and provide them with the expertise required to assure them of continued employment with this Company, or to gain the qualifications to assure employment elsewhere should they so desire.
- 3.) We continually evaluate all staff and retain their evaluations to assist us in making promotional advancements.
- 4.) We actively participate in the apprenticeship programs established and conducted by various building trades unions and the Labor Relations Section of the Mohawk Valley Builders Exchange, Inc., which operate with the approval of the New York State Department of Labor.

GENERAL:

- 1.) We continually notify our supervisory personnel of our Equal Opportunity Policy, as well as all subcontractors and suppliers and prominatly display our Equal Employment Opportunity posters at all jobsites.
- 2.) We continually monitor all personnel activities, hiring practices, evaluation practices, etc., to insure that our EEO policy is effective and is being carried out.
- 3.) We take affirmative action to utilize minority subcontractors and suppliers wherever possible and welcome bids from the same.

- 4.) We fully understand that, by virtue of certain federal or federally assisted work afforded to us, we have an obligation to take affirmative action to employ not only minorities, but females, minority business enterprises, handicapped workers and disabled veterans and veterans of the Viet Nam era as well. Our Equal Employment Opportunity Policy and our Affirmative Action Program are geared to take positive steps to provide equal opportunity for these groups also.


JULIE C. BOOTH
Equal Employment Opportunity Officer



Charles A.
Gaetano
Construction
Corporation

1506 Whitesboro St. - Utica, N.Y. 13502
Phone 315/733-4611

THIS FIRM HAS COLLECTIVE BARGAINING AGREEMENTS WITH THE FOLLOWING
BUILDING TRADES UNIONS:

BRICKLAYERS, MASONS, & PLASTERERS LOCAL #19

UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA LOCAL 120

INTERNATIONAL ASSOCIATION OF BRIDGE, STRUCTURAL, & ORNAMENTAL
IRON WORKERS LOCAL #440

LABORERS INTERNATIONAL UNION OF NORTH AMERICA (AFL-CIO) LOCAL #35

INTERNATIONAL UNION OF OPERATING ENGINEERS LOCAL UNION #545

UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA LOCAL
UNION NO. 12

CEMENT MASONS LOCAL #519

LOCAL UNION NO. 40, LABORERS INTERNATIONAL UNION OF NORTH AMERICA

PERCENTAGE GOALS FOR MINORITY
AND
FEMALE UTILIZATION

1506 Whitesboro St. - Utica, N.Y. 13502
Phone 315/733-4611

FEMALES

Per the Federal Register of November 3, 1980, the following goals and timetables for female utilization on all federal and federally assisted contracts and subcontracts, in excess of \$10,000, are applicable:

Female Goal.....6.9%

MINORITIES

Per the Federal Register of November 3, 1980, minority hiring percentage goals were listed for standard metropolitan statistical areas (SMSA'S) within New York State. The Utica-Rome SMSA (Oneida and Herkimer Counties) is listed at...2.1%.

If we receive a construction contract in an area which has an approved Hometown Plan we will comply with the goals in that area.

The goals established are per trade.

We will make an all-out effort to see that our subcontractors comply with the required goals.

MEMOS

(SAMPLE LETTER)

COULD BE SENT TO ANY RECRUITMENT AGENCIES,
MINORITY COMMUNITY AGENCIES, WOMEN'S GROUPS, ETC.

Date:

To:

Re:

So that we may keep our files current, would you please send
us your list of qualified construction workers.

Would you also indicate the trade for which each individual
is qualified.

Very truly yours,



Charles A.
Gaetano
Construction
Corporation

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

MEMO TO ALL SUPERINTENDENTS

Please make sure you request minority workers when calling union halls for help and log the request into your diary each time.

We must maintain a written record in our files.

Julie C. Booth

Julie C. Booth

Equal Employment Opportunity Officer



Charles A.
Gaetano
Construction
Corporation

November 1, 1979

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

TO: ALL SUPERVISORY PERSONNEL

FROM: Julie C. Booth
Equal Employment Opportunity Officer

RE: Equal Employment Opportunity

GENTLEMEN:

As part of our ongoing program to provide Equal Employment Opportunity to all individuals, regardless of race, color, religion, sex or national origin, we hereby provide you with an updated copy of our Company's Affirmative Action Program.

Official Company Policy dictates that this Company does not and will not discriminate in recruitment, hiring, promotion or firing. This policy must be reflected in the personnel practices of this company.

Please undertake an immediate review of all company activities and facilities and advise me immediately of any discriminatory or segregated practices.

Julie C. Booth
Equal Employment Opportunity Officer

UNIONS



Charles A.
Gaetano
Construction
Corporation

November 1, 1979

TO:

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

RE: EQUAL EMPLOYMENT OPPORTUNITY

Gentlemen:

This Company has developed an Equal Employment Opportunity Policy and an Affirmative Action Program in an attempt to comply with various rules and regulations pertaining to equal employment opportunity in construction, regardless of an individuals race, color, religion, sex or national origin.

We know you are familiar with these various rules, regulations and orders, and we seek your cooperation and assistance in working with us in our affirmative action efforts when required.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth
Equal Employment Opportunity Officer

Charles A.
Gaetano
Construction
Corporation

November 1, 1979

TO: SENT TO ALL UNIONS

LISTED ON AFFIRMATIVE ACTION
PROGRAM WE HAVE COLLECTIVE
BARGAINING AGREEMENTS WITH.

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

RE: EQUAL EMPLOYMENT OPPORTUNITY

MAILED 11/12/79

Gentlemen:

This Company has developed an Equal Employment Opportunity Policy and an Affirmative Action Program in an attempt to comply with various rules and regulations pertaining to equal employment opportunity in construction, regardless of an individuals race, color, religion, sex or national origin.

We know you are familiar with these various rules, regulations and orders, and we seek your cooperation and assistance in working with us in our affirmative action efforts when required.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth
Equal Employment Opportunity Officer



Charles A.
Gaetano
Construction
Corporation

November 1, 1979

TO:

1506 Whitesboro St. - Utica, N.Y. 13502
Phone 315/733-4611

RE: EQUAL EMPLOYMENT OPPORTUNITY

Gentlemen:

This Company has developed an Equal Employment Opportunity Policy and an Affirmative Action Program in an attempt to comply with various rules and regulations pertaining to equal employment opportunity in construction, regardless of an individuals race, color, religion, sex or national origin.

We know you are familiar with these various rules, regulations and orders, and we seek your cooperation and assistance in working with us in our affirmative action efforts when required.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth
Equal Employment Opportunity Officer

(Suggested Format)

NOTICE TO LABOR UNIONS OR OTHER ORGANIZATIONS OF WORKERS

TO: _____
(Name of union or organization of workers)

The undersigned currently holds contract (s) numbered _____
_____ with FEDERAL HOUSING ADMINISTRATION of the
(name of agency)
U. S. Government or (a) subcontract(s) with a prime contractor of
the U. S. Government.

You are advised that under the provisions of the above contract(s)
or subcontract(s) and in accordance with the President's Executive
Order 11246 Section 202 dated September 24, 1965, the undersigned
is obliged not to discriminate against any employee or applicant
for employment because of race, color, creed, or national origin.
This obligation not to discriminate in employment includes, but is
not limited to, the following:

HIRING, PLACEMENT, UPGRADING, TRANSFER, OR DEMOTION

RECRUITMENT, ADVERTISING, OR SOLICITATION FOR EMPLOYMENT

TRAINING DURING EMPLOYMENT

RATES OF PAY OR OTHER FORMS OF COMPENSATION

SELECTION FOR TRAINING INCLUDING APPRENTICESHIP

LAYOFF OR TERMINATION

This notice is furnished you pursuant to the provision of the above
contract(s) or subcontract(s) and Executive Order 11246.

(Contractor or Subcontractor)

(Date)

Copies of this Notice will be posted by the undersigned in conspicu-
ous places available to employees or applicants for employment.

SUB'S



Charles A.
Gaetano
Construction
Corporation

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

Re: Equal Employment Opportunity

Gentlemen:

The Charles A. Gaetano Construction Corporation is committed to non-discrimination in employment. Any person who applies for a job with this Company will not be discriminated against because of race, creed, color, sex or national origin.

All qualified applicants are welcome to apply for jobs with this Company. Our required contract provisions, in part, stipulate that we shall be required to include the provisions of non-discrimination in employment in every subcontract and to assume the responsibility for enforcing such provisions.

We take this means to inform you, that while these provisions are a part of the subcontract, we will accept our responsibility in this matter to the full extent of the law.

We earnestly solicit your cooperation in this matter.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth
Equal Employment Opportunity Officer



Charles A.
Gaetano
Construction
Corporation

1506 Whitesboro St. - Utica, N.Y. 13502
Phone 315/733-4611

Re:

Gentlemen:

I call to your attention the fact that you do not have any minority employees on the above project, and are not complying with Executive Order #11246.

If you have made any attempts to hire minority workers, please send me all correspondence indicating your efforts. If you have made no efforts, I most strongly advise you that you are in violation of contract and we expect you to correct this situation.

It is imperative that I receive a reply to this letter as soon as possible.

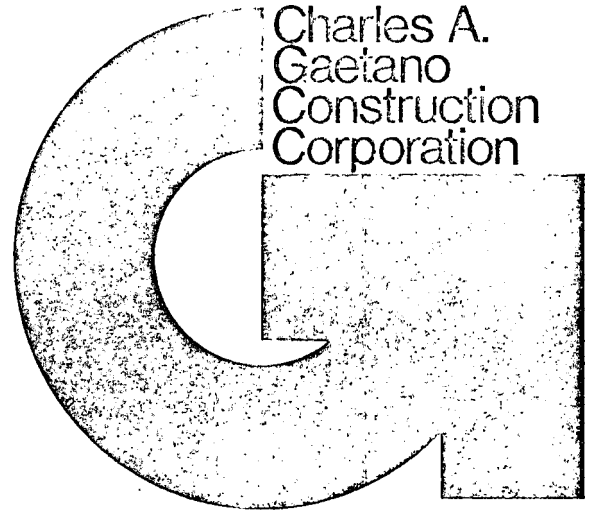
Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth
Equal Employment Opportunity Officer

SAMPLE

Charles A.
Gaetano
Construction
Corporation



August 24, 1978

TO: All Sub-Contractors

RE: Onondaga Providence Apts.
Syracuse, NY
HUD #012-EH001-WAH-L8

1506 Whitesboro St. - Utica, N.Y. 13502
Phone 315/733-4611

Gentlemen:

In order to comply with the Community Development Advisory Committee dealing with Equal Employment Opportunity and Affirmative Action of the City of Syracuse, we are requesting that you complete the lower portion of this letter and RETURN TO THIS OFFICE AS SOON AS POSSIBLE. We must file this report by the end of next week, so your immediate attention to this matter will be greatly appreciated.

What is required is the total number of employees you anticipate working on the project; and of that total, how many will be minority.

NAME OF SUBCONTRACTOR _____

SUBCONTRACT FOR _____

TOTAL NUMBER OF EMPLOYEES EXPECTED TO BE ON JOB _____

INCLUDED IN ABOVE TOTAL THERE WILL BE _____ MINORITY EMPLOYEES

Thank you very much.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth

SAMPLE

Charles A.
Gaetano
Construction
Corporation

August 3, 1978

To: All Subcontractors

Re: Onondaga Providence Apartments
Syracuse, New York

1506 Whitesboro St. · Utica, N.Y. 13502
Phone 315/733-4611

Enclosed herewith find Forms P-589 - Notice to Labor Unions or Other
Organizations of Workers.

Would you kindly complete the top line TO: _____
by filling in any labor unions with which your firm is affiliated for
the above project.

Type in your Firm name and address at bottom, date, and return to this
office. We must submit this form to all labor unions involved in this
project.

Thank you very much for your kind attention to this matter.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth

Julie C. Booth

(Suggested Format)

NOTICE TO LABOR UNIONS OR OTHER ORGANIZATIONS OF WORKERS

TO: _____
(Name of union or organization of workers)

The undersigned currently holds contract (s) numbered _____
_____ with FEDERAL HOUSING ADMINISTRATION of the
(name of agency)
U. S. Government or (a) subcontract(s) with a prime contractor of
the U. S. Government.

You are advised that under the provisions of the above contract(s) or subcontract(s) and in accordance with the President's Executive Order 11246 Section 202 dated September 24, 1965, the undersigned is obliged not to discriminate against any employee or applicant for employment because of race, color, creed, or national origin. This obligation not to discriminate in employment includes, but is not limited to, the following:

HIRING, PLACEMENT, UPGRADING, TRANSFER, OR DEMOTION

RECRUITMENT, ADVERTISING, OR SOLICITATION FOR EMPLOYMENT

TRAINING DURING EMPLOYMENT

RATES OF PAY OR OTHER FORMS OF COMPENSATION

SELECTION FOR TRAINING INCLUDING APPRENTICESHIP

LAYOFF OR TERMINATION

This notice is furnished you pursuant to the provision of the above contract(s) or subcontract(s) and Executive Order 11246.

(Contractor or Subcontractor)

(Date)

Copies of this Notice will be posted by the undersigned in conspicuous places available to employees or applicants for employment.

SAMPLE

Charles A.
Gaetano
Construction
Corporation

June 20, 1978

TO: ALL SUBCONTRACTORS

RE: ONONDAGA PROVIDENCE APARTMENTS
Syracuse, New York
PROJECT #013-EH001-WAH-L8

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

We are enclosing herewith the following data for your use
and/or review on the above project.

1. A sample copy of Payroll Affidavit, Form WH-347, and Instructions for Submission of same. These Affidavits are due at this office within 7 days following completion of your pay period. They apply to all Subcontractors, and sub-subcontractors that you may use to perform your work. After your first submission, you must continue to submit reports for each pay period (even if you did not work at the project, complete Heading and under (1) type in NO WORK PERFORMED), until your last Payroll Affidavit and that must be marked "FINAL".

This Payroll form may be reproduced or ordered from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402 for \$3.95/pad of 100.

2. Also enclosed please find copy of Prevailing Wage Rate Schedule, which must be adhered to.
3. Enclosed you will find (2) pages referring to employing apprentices. Please note that all Apprentices MUST BE REGISTERED with the LABOR DEPARTMENT; and MUST SHOW EVIDENCE OF REGISTRATION when submitting his Payroll Affidavits.
4. Please remind all Foreman from your company that they are to report to Earl Polisse, Superintendent, the end of each week regarding the number of employees from your firm that worked at the project, their trade classification, and the number of minority employees, and their hours worked. We must submit to HUD each month a report showing total hours worked by all subcontractors and/or sub-subcontractors and the percentage of minority, if any. Mr. Polisse must keep this log, and your cooperation would be greatly appreciated.

If you have any questions, please call.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth

INSTRUCTIONS TO BIDDERS CONTINUED

-7-

16. Labor Provisions Applicable:

16.1 Pursuant to requirements of the Agreement by and between the Owner and the Construction Manager certain labor provisions shall be fully applicable to the entire work and are contained in the Supplementary Conditions of the Contract for Construction. They are excerpted here to inform every bidder of their strict applicability. Submittal of a bid for any part of the work shall require, and be construed as, an express certification of each requirement for which such certification is or shall be required.

16.2 All contractors (subcontractors) governed by Executive Order 11246 shall be required to submit a "Monthly Manpower Utilization Report", CC-257 (attached sample - Appendix #1).

All bidders shall include with their bid, or shall file within two days thereafter, a properly completed and executed "Certification of Bidder Regarding Equal Employment Opportunity", (HUD Form 4238-CD-1, sample attached, or facimile - Appendix #2).

All contractors (subcontractors) shall submit weekly a copy of all payrolls to the Construction Manager, for his submittal to the Owner, as provided in paragraph 16.9.2, below. Department of Labor Form WH-347 is a sample, Appendix #3.

16.3 Wherever, in the following excerpt of labor provisions, the word "Contractor" is used, the requirement shall be deemed to apply to each party to a subcontract with Lakewood.

Wherever the word "subcontractor" is used, the reference shall be deemed to apply to sub-subcontractors, that is, any firm to whom a portion of work has been sub-let from a party to subcontract with Lakewood.

Wherever the phrase "prime contractor" is used, the reference shall be deemed to apply to Lakewood, who as Construction Manager, shall be in direct (prime) contract with the Owner.

DISCIPLINARY WARNING NOTICE

CHARLES A. GAETANO CONSTRUCTION CORPORATION
1506 Whitesboro St., Utica, NY 13502

DEPARTMENT _____

DATE _____

REASON FOR NOTICE: _____

ACTION TAKEN ON THIS NOTICE:

- ☐ First Warning — Verbal
☐ Second Warning — Written
☐ Suspension for _____ days
☐ Other (specify) _____

NEXT STEP:

- ☐ Second Warning — Written
☐ Suspension for _____ days
☐ Other (specify) _____

SUPERVISOR COMMENTS:

EMPLOYEE COMMENTS:

Signed _____ Signed _____
Supervisor Employee

POSITION TITLE _____

EMPLOYEE'S NAME _____

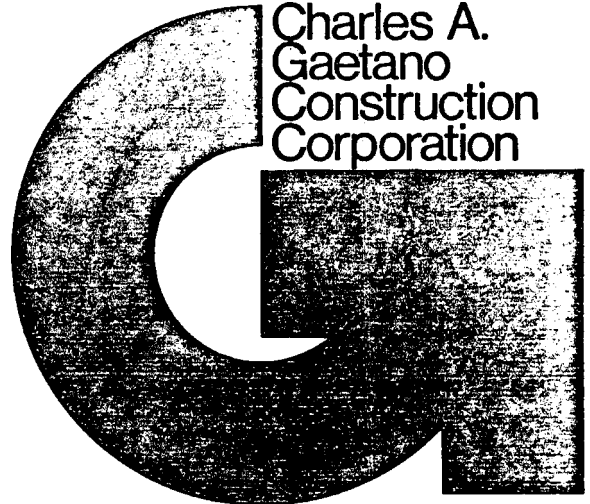
Last

First

Initial

CORRES.

Charles A.
Gaetano
Construction
Corporation



1506 Whitesboro St. - Utica, N.Y. 13502
Phone 315/733-4611

October 1, 1980

U.S. Dept. of Labor
Employment Standards Administration
U.S. Federal Bldg., Rm. No. 1447
100 South Clinton St.
Syracuse, NY 13260

Attn: Garland Sweeney
Area Director

Dear Mr. Sweeney:

With reference to your letter of September 29, 1980, regarding Form CC-257, I am enclosing herewith copy of our September 5, 1979 FINAL report showing project complete.

Since that time, we have not had any Federally assisted construction contracts.

On September 15, 1980, we just started another project, Federally assisted, Clinton Manor Apartments, Franklin Ave., Town of Kirkland, Clinton, NY.

I have just received the first Payroll Affidavits, and will be completing Form CC-257 within a day or two, and will forward to you.

Regarding your last paragraph, we do not have any previous forms to send in for the past twelve months, as no work was performed.

If you have any questions, please feel free to contact me.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth
Equal Employment Opportunity Officer

Enc.

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
Office of Federal Contract Compliance Programs

U. S. Federal Building, Room No. 1447
100 South Clinton Street
Syracuse, NY 13260



September 29, 1980

Charles A. Gaetano Construction Corporation
1506 Whitesboro Street
Utica, New York

Dear Mr. Gaetano:

Records in this office revealed that you have failed to submit, on a monthly basis, Form CC-257, Monthly Employment Utilization Report for your work performed on all Federal or Federally assisted funded construction contracts in excess of \$10,000. Failure to submit Form 257 on a monthly basis is a violation of Title 41 Code of Federal Regulations 60-4.3(a)14.

It is requested that you submit copies of Form 257 for the past twelve months. Request these copies be forwarded to this office to arrive by October 15, 1980.

Sincerely,

A handwritten signature in cursive script that reads "Garland Sweeney".

GARLAND SWEENEY
Area Director

Enclosures:

Executive Order 12086
Letter of Instruction
Forms 257

RECEIVED
Gaetano Construction Co.

OCT 1 - 1980

10/21/23-15-1

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
Office of Federal Contract Compliance Programs
U.S. Courthouse and Federal Building
100 South Clinton Street, Room 1447
Syracuse, New York 13260



Attention: President

Dear Sir/Madam:

As you may be aware, the Office of Federal Contract Compliance Programs (OFCCP) has a new Monthly Employment Utilization Report Form (CC-257, revised 9/78) which all contractors and sub-contractors must use for submittal of their monthly reports. The completed reports should be sent to this office at the above address. For your convenience a blank CC-257 form is attached which you may duplicate. You may also contact our office for a supply of forms.

Each contractor or sub-contractor with a Federal contract of \$10,000 or more is required to file a CC-257, beginning with the effective date of the contract, reflecting the contractor's aggregate workforce in each construction trade, in each covered area. Failure to submit valid form CC-257's by the 5th work day of each month may result in enforcement action which could lead to cancellation, termination, or suspension of Federal contracts. Reports must contain the total employment utilization of the previous month broken down by construction trade, race, and sex. The report must be an aggregate compilation of hours worked on both Federal and Federally assisted projects. Monthly reports are required until the completion of all Federal contracts. Please be aware of the affirmative action obligations contained in the enclosed regulations, all of which apply to Federal construction contractors and sub-contractors.

This report must:

1. Be submitted by the 5th day of each month.
2. Include the contractor's or sub-contractor's name, I.D. number, address, and telephone number.
3. Submit one aggregate report for each SMSA located within the Syracuse Area Office's area of responsibility as follows:
 - a. Binghamton
Broome County
Tioga County
 - b. Elmira
Chemung County

c. Syracuse
Madison County
Onondaga County
Oswego County

d. Utica - Rome
Herkimer County
Oneida County

4. A separate report must be submitted for each of the non-SMSA counties (listed below):

- a. Cayuga
- b. Chenango
- c. Cortland
- d. Franklin
- e. Jefferson
- f. Lewis
- g. Ontario
- h. Otsego
- i. Schuyler
- j. Seneca
- k. Steuben
- l. St. Lawrence
- m. Tompkins
- n. Wayne
- o. Yates

5. Include total hours worked on both Federal and Federally assisted jobs, broken down only by covered area - not by project.

6. Be itemized by construction trade.

7. PLEASE NOTE on the CC-257 form:

- a. Item #5 - Include construction trades, for example: laborers, operating engineers, teamsters, etc. Administrative and clerical staff should not be reported.
- b. Item #6 - (a-e) should include the total number of hours worked by all employees in each construction trade.
- c. Item #7 and #8 - should be percentages.

Example:
$$\frac{\text{Total Minority Hours}}{\text{Total of all Employees}} = \frac{100}{1,000} \quad 10\% \text{ minority utilization}$$


- d. Items #9 and #20 - List total number of employees and total number of minorities by sex and trades.

Please be sure that the forms are filled out in their entirety and send only one original--no copies are required. If you have any questions on completing these forms, please do not hesitate to call for assistance.

To the extent that these forms may meet your reporting requirements for other parties, such as prime contractors, city, county, or state, they may be used for that purpose. However, this Report is designed to meet Department of Labor, Office of Federal Contract Compliance Programs requirements and must be submitted to this office in the format required, as specifically enumerated on the reverse side of the CC-257 form.

Thank you for your cooperation.

Sincerely,


GARLAND F. SWEENEY
Area Director

Enclosures - Regulations, Form CC-257, sample 257, Map of New York State Counties.

P.S.

Do not submit wage and hour forms, or computer printouts to this office in lieu of, or in addition to the CC-257 forms.

U. S. DEPARTMENT OF LABOR
Employment Standards Administration, OFCCP

**MONTHLY EMPLOYMENT
UTILIZATION REPORT**

1. COVERED AREA (SMSA OR EA)

3. CURRENT GOALS

4. REPORTING PERIOD

This report is required by Executive Order 11246, Sec. 203. Failure to report can result in contracts being cancelled, terminated or suspended in whole or in part and the contractor may be declared ineligible for further Government contracts of federally assisted construction contracts.

2. EMPLOYERS I.D. NO.

MINORITY:

FROM:

FEMALE:

TO:

NAME AND LOCATION OF CONTRACTOR

FEDERAL
FUNDING
AGENCY

5. CONSTRUCTION TRADE	Classifications	6. WORK HOURS OF EMPLOYMENT (Federal & Non-Federal)										7. MINORITY PERCENTAGE	8. FEMALE PERCENTAGE	9. TOTAL NUMBER OF EMPLOYEES		10. TOTAL NUMBER OF MINORITY EMPLOYEES	
		6a. TOTAL ALL EMPLOYEES BY TRADE		6b. BLACK (Not of Hispanic Origin)		6c. HISPANIC		6d. ASIAN OR PACIFIC ISLANDERS		6e. AMERICAN INDIAN OR ALASKAN NATIVE				M	F	M	F
		M	F	M	F	M	F	M	F	M	F						
	Journey worker																
	APPRENTICE																
	TRAINEE																
	SUB-TOTAL																
	Journey worker																
	APPRENTICE																
	TRAINEE																
	SUB-TOTAL																
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	APPRENTICE																
	TRAINEE																
	SUB-TOTAL																
	Journey worker																
	APPRENTICE																
	TRAINEE																
	SUB-TOTAL																
TOTAL JOURNEY WORKERS																	
TOTAL APPRENTICES																	
TOTAL TRAINEES																	
GRAND TOTAL																	

11. COMPANY OFFICIAL'S SIGNATURE AND TITLE

12. TELEPHONE NUMBER (Include area code)

13. DATE SIGNED

PAGE

OF

Region II

NEW YORK

City

New York City, N.Y.

New York
Kings
Bronx

Long Island, N. Y.

New York Counties
Suffolk
Queens
Nassau

White Plains, N. Y.

New York Counties
Rockland
Westchester
Sullivan
Dutchess
Putnam
Orange

Newark, N. J.

New Jersey Counties
Passaic
Bergen
Morris
Essex
Hudson
Union
Richmond

Trenton, N. J.

New Jersey Counties

Trenton, N. J. (con't)

Hunterdon
Somerset
Mercer
Camden
Gloucester
Salem
Cumberland
Cape May
Atlantic
Burlington
Ocean
Monmouth
Middlesex

Syracuse, N. Y.

New York Counties

~~/~~Franklin
~~/~~St. Lawrence
~~/~~Jefferson
~~/~~Lewis
~~/~~Oswego
~~/~~Wayne
~~/~~Ontario
~~/~~Yates
~~/~~Steuben
~~/~~Seneca
~~/~~Schuyler
~~/~~Chemung
~~/~~Cayuga
~~/~~Tompkins
~~/~~Onondaga
~~/~~Cortland
~~/~~Tioga
~~/~~Broome

Syracuse, N. Y. (con't)

~~/~~Madison
~~/~~Chenango
~~/~~Oneida
~~/~~Otsego
~~/~~Herkimer

Buffalo, N. Y.

New York Counties

Niagara
Erie
Chautaugua
Cattaraugus
Orleans
Genesee
Wyoming
Monroe
Livingston
~~ALLEGANY~~

Albany, N. Y.

New York Counties

Clinton
Essex
Hamilton
Warren
Washington
Fulton
Saratoga
Montgomery
Schenectady
Rensselaer
Albany
Schoharie
Delaware

DRAFT

U.S. DEPARTMENT OF LABOR/ESA
OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS
1 S Courthouse and Federal Bldg. Rm. 1447
100 South Clinton Street
Syracuse, New York 13260

NAME AND LOCATION OF CONTRACTOR
John Doe Construction Company
123 Law Abiding Road
Syracuse, New York 14627

FEDERAL FUNDING AGENCY
EPA, HUD

6. WORK HOURS OF EMPLOYMENT (Federal & Non-Federal)												9. TOTAL NUMBER OF EMPLOYEES M F	10. TOTAL NUMBER MINORI EMPLOY			
CONSTRUCTION TRADE	Classifications	6a. TOTAL ALL EMPLOYEES BY TRADE		6b. BLACK (Not of Hispanic Origin)		6c. HISPANIC		6d. ASIAN OR PACIFIC ISLANDERS		6e. AMERICAN INDIAN OR ALASKAN NATIVE				7. MINORITY PERCENTAGE	8. FEMALE PERCENTAGE	
		M	F	M	F	M	F	M	F	M	F					
Tucklayers & Masons 27.5-30.3%	Journey worker	760				155						$\frac{429}{1308} = 32.8\%$	$\frac{120}{1308} = 9.2\%$	5		1
	APPRENTICE	304		150										2		1
	TRAINEE	124	120	124										1	1	1
	SUB-TOTAL		1308		274		155								9	
Painters 21.9-26.1%	Journey worker	500		152								$\frac{152}{654} = 23.2\%$	$\frac{154}{654} = 23.5\%$	4		1
	APPRENTICE															
	TRAINEE		154												1	
	SUB-TOTAL		654		152										5	
Operating Engineers 7.7-9.0%	Journey worker	1368										$\frac{306}{1674} = 18.2\%$	$\frac{152}{1674} = 9.1\%$	9		
	APPRENTICE															
	TRAINEE	154	152			154		152						1	1	1
	SUB-TOTAL		1674			154		152							11	
	Journey worker															
	APPRENTICE															
	TRAINEE															
	SUB-TOTAL															
	Journey worker															
	APPRENTICE															
	TRAINEE															
	SUB-TOTAL															
TOTAL JOURNEY WORKERS		2628		152		155								18		2
TOTAL APPRENTICES		304		150										2		1
TOTAL TRAINEES		278	272	124		154		152						2	3	2
GRAND TOTAL		3482		426		309		152						25		6



c/c to C.G.

THE CITY OF UTICA
DEPARTMENT OF URBAN AND ECONOMIC DEVELOPMENT

CITY HALL, 1 KENNEDY PLAZA, UTICA, NEW YORK 13502

TELEPHONE: (315) 798-3236

STEPHEN J. PAWLINGA
Mayor

MICHAEL R. HOUSEKNECHT
Commissioner

MEMO TO: STEPHEN J. PAWLINGA, MAYOR
FROM: MICHAEL R. HOUSEKNECHT, COMMISSIONER
URBAN AND ECONOMIC DEVELOPMENT
DATE: OCTOBER 16, 1980
SUBJECT: EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS

Please find attached a copy of a letter I received from the U.S. Department of Labor Employment Standards Administration. As you can see from the letter, records in their office indicate that some of our local contractors and subcontractors are remiss in filing Monthly Employment Utilization reports. There was also mention of a local contractor in the area who they have a specific complaint against.

Quite frankly, the City of Utica is going to have to start getting a little tougher with local contractors with respect to EEO requirements. Obviously, much of this must come out of my office since most of the federal contracts are administered from here.

We are finding that a number of local contractors say they are going to do certain things (i.e., hire the required percentage of minorities). However, when our EEO officer (Daryl Grant) checks out the job, we find that, indeed, they do not comply.

Henceforth, it will be a policy of this office to not issue a proceed order until the contractor has given us a list of his work force with the number of minorities listed to insure they are hired and will work on the job.

MRH/cml

cc: T. Bach
J. Zegarelli
R. Shields
J. Redmond
D. Seidel
J. Zilvinskis
D. Grant

City of Utica
City Clerk's Office

NOV 14 1980

10112123-1

U.S. DEPARTMENT OF LABOR
EMPLOYMENT STANDARDS ADMINISTRATION
Office of Federal Contract Compliance Programs
U.S. Courthouse and Federal Building
100 South Clinton Street, Room 1447
Syracuse, New York 13260



September 29, 1980

Mr. Michael Houseknecht
Director of Housing and Community
Development Programs
City Hall
Utica, New York

Dear Mr. Houseknecht:

On May 30, 1980 the Secretary of Labor designated the City of Utica and the remainder of Oneida County as a Labor Surplus Area to get procurement priority over the next twelve months because of high unemployment. Employers located in high unemployment areas are eligible for preference in bidding on Federal Procurement contracts under the Small Business Act, Defense Manpower Policy No. 4A (DMP-4A), Executive Order 12073 (Federal Procurement in Labor Surplus Areas) and Executive Order 10582 (Implement the Buy America Act). The purpose of procurement preference for labor surplus areas is to funnel more of the government's procurement dollars into areas where people are in most severe economic need, where unemployment is the highest. Likewise, other Federal Agencies such as HUD and EPA, are funneling monies into your area to fund construction projects.

This agency has the responsibility for enforcing the requirements of Executive Order 11246, Equal Employment Opportunity and the Rules and Regulations outlined in Title 41, Public Contract and Property Management, Chapter 60, Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor, Compliance Responsibility for Equal Employment Opportunity, specifically, 41 Code of Federal Regulations 60-4 which covers Affirmative Action Requirements for construction contractors or subcontractors that hold any Federal or Federally assisted construction contract in excess of \$10,000. The goal attainment for each trade in your area is 6.9% female and 6.0% minority for each construction project. It is your responsibility to notify this office of any award of Federal or Federally assisted contract, including MBE awardees, and to insure that contractors and subcontractors are filing on a monthly basis Form CC-257, Monthly Employment Utilization Report.

Records in this office reflect that some of your contractors and subcontractors are remiss in filing the Monthly Employment Utilization Report.

It is requested that you provide this agency with a list of all contractors, subcontractors and MBE awardees for the past twelve months, prior to October 15, 1980. Information desired is the name of the project, prime contractor, subcontractor, MBE awardees, date of award, date of completion and dollar value. In addition, insure all current contractors complete the attached Form 257 for the month of September 1980.

A special concern of this agency is the Charles A. Gaetano Construction Corporation, 1506 Whitesboro Street, Utica, New York. Preliminary information (not confirmed yet) received by this agency indicates that this company refuses to hire minorities as journey workers, apprentices, trainees, and laborers or subcontract work with minority vendors or contractors.

Request you provide this agency with information on this company's hiring policies and practices. A separate letter has been forwarded to Mr. Gaetano requesting copies of his Form CC-257's for the past twelve months. Upon receipt, followup action or, if necessary, enforcement action will be initiated against all violators.

Thank you for your cooperation.

Sincerely,



GARLAND SWEENEY

cc: NAACP
UCAI
Hispanic-American Action League
Cosmopolitan Center
CETA

Encl. Executive Order 12086
Form CC-257
LOI

ONEIDA COUNTY

SHERWOOD L. BOEHLERT
COUNTY EXECUTIVE

OFFICE OF EMPLOYMENT & TRAINING

COUNTY OFFICE BUILDING 800 PARK AVENUE UTICA, NEW YORK 13501 TEL. 315-798-5908

October 21, 1980

Charles A. Gaetano Construction Corp.
1506 Whitesboro Street
Utica, New York

Dear Mr. Gaetano:

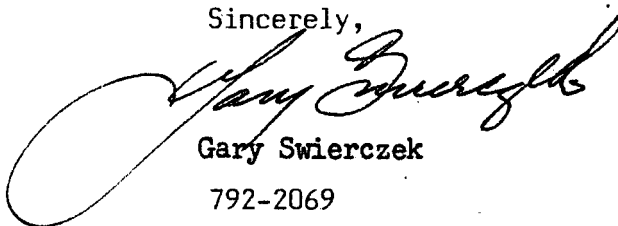
As an Employment Specialist with the Department of Labor under the direction of Oneida County, our main function is two-fold:

1. Working with public and private businesses to develop job opportunities to employ and train selected Oneida County residents.
2. Notifying several employers in Oneida County of the advantages of using our services which will save them money and time via:
 - A. Tax Credits,
 - B. Subsidization of Worker Training,
 - C. Pre-screening of potential employees,
 - D. Follow-up services to increase the possibility of new trainee/employer success.

An Employment Specialist is interested in discussing the many advantageous Federal Programs which are available to your business. He will be phoning you for an appointment during the following week.

Your consideration in this matter is greatly appreciated.

Sincerely,



Gary Swierczek

792-2069

OCT 21 1980

MF:GEM

**Mohawk
Valley
Builders'
Exchange, Inc.**



1506 WHITESBORO STREET • UTICA, N. Y. 13502 • TELEPHONE: 315/732-4109

SPECIAL BULLETIN

November 17, 1980

TO: ON-SITE EMPLOYER MEMBERS OF THE EXCHANGE
FROM: JACK ENDRYCK, EXECUTIVE DIRECTOR
RE: EQUAL EMPLOYMENT OPPORTUNITY - AFFIRMATIVE ACTION

Gentlemen:

This is in follow-up to my Special Bulletin to you of November 5, 1980 regarding the new Minority Hiring Regulations that took effect on November 3, 1980 for all federal and federally assisted contracts and subcontracts over \$10,000.

The federal government has outlined sixteen (16) affirmative action steps that contractors should utilize as part of their affirmative action program. The 16 steps are:

1. "Ensure and maintain a working environment free of harassment, intimidation, and coercion at all sites, and in all facilities at which the Contractor's employees are assigned to work. The Contractor, where possible, will assign two or more women to each construction project. The Contractor shall specifically ensure that all foremen, superintendents, and other on-site supervisory personnel are aware of and carry out the Contractor's obligation to maintain such a working environment....
2. "Establish and maintain a current list of minority and female recruitment sources, provide written notification to minority and female recruitment sources and to community organizations when the Contractor or its unions have employment opportunities available, and maintain a record of the organizations' responses.
3. "Maintain a current file of the names, addresses and telephone numbers of each minority and female off-the-street applicant and minority or female referral from a union, a recruitment source or community organization and of what action was taken with respect to each such individual. If such individual was sent to the union hiring hall for referral and was not referred back to the Contractor by the union or, if referred not employed by the Contractor, this shall be documented in the file with the reason therefor....
4. "Provide immediate written notification to the Director when the union or unions with which the Contractor has a collective bargaining agreement has not referred to the Contractor a minority person or woman sent by the Contractor, or when the Contractor has other information that the union referral process has impeded the Contractor's efforts to meet its obligations.

(cont'd. over)

15. "Document and maintain a record of all solicitations of offers for sub-contracts from minority and female construction contractors and suppliers, including a circulation of solicitations to minority and female contractor associations and other business associations.

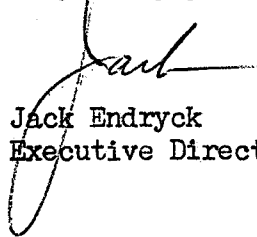
16. "Conduct a review, at least annually, of all supervisors' adherence to and performance under the Contractor's EEO policies and affirmative action obligations.

With regard to documentation, it is important to have copies of every letter and notations of every phone call or meeting required under the 16 steps. Maintaining accurate records is a major factor in being found to be in compliance.

Failure to meet the goals, in and of itself, is not reason to have any sanctions imposed upon a contractor. If a contractor performs all 16 affirmative action steps and has completely documented this efforts, then the Office of the Federal Contract Compliance Programs (OFCCP) is not likely to take any action against the contractor.

The above mentioned 16 steps should become part of your company affirmative action program, and should be incorporated into that program.

Very truly yours,



Jack Endryck
Executive Director



THE CITY OF UTICA
DEPARTMENT OF URBAN AND ECONOMIC DEVELOPMENT

CITY HALL, 1 KENNEDY PLAZA, UTICA, NEW YORK 13502

TELEPHONE: (315) 798-3236

STEPHEN J. PAWLINGA
Mayor

MICHAEL R. HOUSEKNECHT
Commissioner

November 12, 1980

Charles A. Gaetano
Gaetano Construction Corp.
1506 Whitesboro Street
Utica, New York 13502

Dear Mr. Gaetano:

The City of Utica's Department of Urban and Economic Development will be conducting an information meeting on Tuesday, November 18, 1980 at 7:30 P.M. in the Common Council Chambers on the City's Equal Employment Opportunity requirements on federally-funded construction contracts. Requirements which will be binding on all contractors performing work on federally-funded projects for the City of Utica will be covered at this meeting.

As a firm which has done construction work for the City over the past several years, it is strongly recommended that you or a representative of your firm attend this meeting. If you have any questions, do not hesitate to contact Daryl Grant of my staff at 798-3236.

We look forward to seeing you at this important meeting.

Very truly yours,


Michael R. Houseknecht, Commissioner
Urban and Economic Development

MRH/cml

RECEIVED
Gaetano Construction

NOV 13 1980

NOV 10 1980

Letter to Sweeney @ Letter

Call Dodge reports
@ Clinton + Steinh

City Goal - 10% MINORITY
60% CITY RESIDENCE

Talk to Tony F.
@ doing work

AF. ACTION PLAN

MINORITY + FEMALES

CONTACT - OFC + CITY ORGANIZATIONS

UT. COMM. ACTION, COSMOP. CENTER, NAACP

CITY FORM - CITY OR FED.? 257?

MBE -

CLINTON

CANASTOTA

STEINH.

REG. + RESPONSIBILITY

Bob + Julie
Mohawk
Valley
Builders'

READ
BY

Exchange, Inc.



1508 WHITESBORO STREET • UTICA, N. Y. 13502 • TELEPHONE: 315/732-4109

SPECIAL BULLETIN

November 5, 1980

TO: ALL ON-SITE EMPLOYER MEMBERS OF THE EXCHANGE
FROM: JACK ENDRYCK, EXECUTIVE DIRECTOR
RE: NEW FEDERAL AFFIRMATIVE ACTION AND MINORITY HIRING REGULATIONS

Dear Member:

A few weeks ago, the Office of Federal Contract Compliance Programs (OFCCP) issued new regulations.....effective November 3, 1980.....pertaining to affirmative action and minority hiring goals on federal or federally assisted construction contracts of \$10,000 or more.

The new regulations set minority hiring goals nationwide. For example, the new minority hiring goal for Oneida and Herkimer Counties is 2.1%, trade by trade. Not really a bad percentage goal for this area when it used to be around 4%.

However, the clincher in the new regulations, is the fact that the percentage goals not only apply to a contractor's federal work, but also to his private work. For example.....a contractor, resident in Oneida or Herkimer Counties obtains a federal contract for \$10,000 or more in this area. His minority hiring goal for that project becomes 2.1%. At the same time, this contractor has a private job starting (say a bank renovation) at the same time. Because he has a contract with federal funds, he now has to extend the 2.1% hiring goal to the private job.

Another example.....a contractor resident in Oneida and Herkimer Counties obtains a federal contract in this area. His minority hiring goal is 2.1%. At the same time he is putting an addition on a manufacturing plant in Albany (private work). He now is subject to minority hiring goals on the manufacturing plant, but he must use the goals established for Albany (3.2%) for this manufacturing plant project. The same holds true for a federal job here and a private job in California, or a federal job in Wisconsin and a private job in Florida. The goals for each area must be followed. The trigger is a federal project, if you obtain one.

To make matters worse, the State of New York filed suit against OFCCP last Friday (10/31/80) claiming that OFCCP was not living up to its obligations in New York State by going around and inspecting federal construction projects.

(cont'd. over)

In case you didn't know, OFCCP set up a Regional Office in Syracuse two years ago for this purpose. This office covers Oneida and Herkimer Counties. As you probably know, this office has not been very active in going out and inspecting federal projects and enforcing OFCCP regulations.

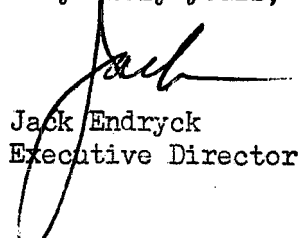
Thanks to New York State's suit (Attorney General Robert Abrams), I personally feel that OFCCP will now be pressured to get out, inspect, and enforce these new regulations.

What does this mean to you? Initially (naturally), another bad taste in your mouth for our bureaucratic system which has already over-regulated this industry. But, in fact, another regulation which must be complied with. I urge all of you, as I have in the past, to : (1) set up your own company Affirmative Action and Equal Employment Opportunity Program; (2) appoint someone in your office as EEO officer; (3) familiarize yourself with the rules and regulations; and (4) follow through! The new hiring goals are just that.....goals, not quotas! GOOD FAITH EFFORT IS THE KEY.

If we can be of any assistance to you, please call on us. If we can help you set up your own company Affirmative Action Program, please call us. We have already done this for several firms. If you would like a copy of the new OFCCP rules and regulations, please call us.

If it is of any reassurance to you, contractor groups throughout the country are challenging the portion of the new regulations which requires the percentage goals on private work. Mohawk Valley Builders Exchange is joining the fight.

Very truly yours,


Jack Endryck
Executive Director

Attended by WCG
& Julie Booth

AGENDA

CONTRACTOR'S EEO MEETING

November 18, 1980

--

I. Federal Requirements

- (1) Executive Order 11246

City goals for minority and City resident employment

- (2) Requirements for Affirmative Action Plans and Submission of
cc-257 Monthly Employment Utilization Forms

- (3) Contractor Responsibilities regarding Minority and Female
Employment

- (4) Work Force Sheet Submittal Requirement Prior to Notice to
Proceed

- (5) Minority Business Utilization

II. Questions

MBE'S - Certified w/ Dept. of Labor

Utica Work - 10% minority

60% Utica residents

Work force sheet showing trades, minorities, city residents
%, women

Minority does not have to be in union to be hired on Federal
work. 30 days after he can get in union.

All GC's must make effort.

Make contact w/ all City organizations etc. - UCA, 1,
Cosmopolitan Center, N.A.A.C.P.

City to force contractors to hire minorities

By DAVID GOLDSTON

The city is cracking down on contractors who have not been hiring enough minority employees or sub-contractors, Michael Houseknecht, commissioner of urban and economic development, said last night. He explained that "all too often" Utica's construction contractors have not been hiring enough minority employees or sub-contractors, which is a violation of federal law.

Houseknecht said the city has hired Daryl Grant whose sole job will be checking compliance with equal opportunity laws, and is no longer allowing contractors to begin work until they have submitted a hiring plan. Grant's \$12,500 annual salary will be paid with federal funds.

Houseknecht made the comments at a meeting between city officials and about 30 contractors who do federally funded work for the city. (The federal laws apply only to contractors working on federally funded jobs.)

Houseknecht said he called the meeting because "quite frankly, we've found examples of non-compliance (with federal law). Getting all this federal money (more than \$4 million this year) means we have a responsibility. We (city officials) have been a little slipshod and it's time to see where we are and where we are going."

Houseknecht said he did not have figures on how many contractors have been complying or on total minority hiring. However, he said the meeting was "long overdue" and was spurred, in part, by U.S. Department of Labor complaints about non-compliance.

After the meeting, he said he had "learned some things" from the con-

tractors' comments. "It's not as easy as it seems. We'll have to meet again. We're going to form a working committee of representatives from the labor unions, minority groups, the city and the contractors to deal with the issue."

The contractors said it was difficult to find trained minority employees or any minority sub-contractors. They said minority sub-contractors often submitted bids late or submitted bids that were much higher than those of their competitors. (Sub-contractors are firms responsible for a portion of a job — electrical, plumbing or painting, for example — under the supervision of the general contractor.)

Houseknecht said that was probably true, but that he had seen cases where contractors had not even attempted to hire minorities. He said the "working committee" would try to meet with minority contractors to make them more responsive and to meet with labor unions to see if they were doing enough to train minorities.

Robert Shields, director of community development, said the city's goal was for the work force on each job to be at least 10 percent minority or female residents of Utica and at least 60 percent Utica residents.

He said federal law required the contractors to: designate an equal employment opportunity officer; outline how they will meet the city's hiring goals; contact state and other employment agencies and minority agencies such as Utica Community Action Inc. (UCAI) to get names of prospective minority employees; keep records of all contacts with minority recruiting sources and applicants; file monthly reports with U.S. labor department on minority hiring; solicit bids from minority sub-contractors

and suppliers; keep records of all contacts with minority sub-contractors and suppliers; hire minority sub-contractors or suppliers over a non-minority company if their bids are competitive.

Shields said contractors have not been contacting agencies that keep lists of qualified minority employees. He said the federal government has lists of every minority contractor in upstate New York and that bids should be solicited from them. The normal bid advertising process is not enough to satisfy the law. Shields said, adding, "You're responsible to do everything you can to help minorities."

Jack Endryck, president of the Mohawk Valley Builder's Exchange, said the city's goal of 10 percent minority hiring was too high. He quoted a Nov. 3 federal notice which said minorities should constitute 2.1 percent of the construction workers in the Herkimer-Oneida County region.

Houseknecht said the bi-county figures should not apply to work being done in Utica, adding that a recent federal grant the city received for the Neisner's building required the job's work force to be 6.9 percent minority.

"My feeling is that the city's statistics, not the county's are generating all this construction money. The hiring goals should be based on the city's statistics, too. The city is getting this money because of its unemployment rate, minority population, growth lag, etc. What good is all this money if it's not helping those problems and people? We're barely putting a dent in them with the 10 percent hiring requirement. With a 2 percent requirement, on a job with 25 people, you'd need less than one minority worker," Houseknecht said.

In Minority Hiring Controversy**City's Contractors Told
To Comply in 30 Days**By CALVERT L. ASHER
Business Editor

Contractors and subcontractors working on federally funded projects in the City of Utica have 30 days to comply with the affirmative action program or they may be "debarred" from holding further contracts in which U. S. money is involved.

That word, from the Office of Federal Contracts and Compliance Programs (OFCCP) in Syracuse, came on the heels of a city administration crackdown last week on contractors and subcontractors who have failed to hire minority employees or use minority subcontractors.

A spokesman for the city administration said that fewer than half of the contractors and subcontractors were in compliance with the federal regulations for minority employment, which stems from an executive order.

Robert Shields, director of community development, said 90 contractors and subcontractors who do federally funded work for the city were asked to attend last Tuesday night's meeting at which Michael Houseknecht, commissioner of urban and economic development, complained of non-compliance. Only about 30 showed up. Shields said his office received only two phone calls from those not attending.

"One out-of-town contractor said he had an affirmative action program, another said he was familiar with the federal regulations but said he had no one he could send to the meeting," Shields said.

Shields said he estimated fewer than 50 percent of the contractors had employed minorities. He further estimated that approximately 200 workers were involved in the city's federally

funded programs. These included such projects as the Cosmopolitan Center, the Neighborhood Center, senior day centers, downtown sidewalk improvement, street repaving and neighborhood and park improvements. Funds came from Community Development and Economic Development Administration programs.

In the meantime, Charles Weber, assistant to Garland Sweeney, OFCCP district director, said contractors and subcontractors had 30 days in which to comply with the minority employment regulation.

However, it was not the OFCCP that initiated the non-compliance investigation of contractors and subcontractors working on city programs, although that agency has the responsibility for enforcing affirmative action programs. The Utica Community Action Inc. (UCAI) through its executive director, Mary Taylor, and Jesse Pittman, UCAI's manpower specialist and equal opportunity officer, raised the question whether contractors and subcontractors had filed utilization documents indicating the extent of minority employment.

Pittman said he had received complaints from minorities that jobs were not opening up for them on federally funded programs.

Ms. Taylor said she had contacted the OFCCP office telling them that some contractors in the city were not hiring minorities.

"I guess it just grew out of that," she said.

She added that the city administration has been very cooperative in trying to "unlock some doors for us."

Pittman said he has visited at least 20 industries in the last month urging

them to improve their affirmative action program.

"I found them very cooperative," he said.

Asked why OFCCP had not monitored the affirmative action programs locally, Weber called it a "lack of communication in the Utica area."

Asked to amplify on that comment, Weber responded "We were not as observant as we should have been."

Weber said OFCCP was responsible for compliance review. He said his office accepted that responsibility "not too long ago."

Last July 1, 1979, the Sunday Observer-Dispatch disclosed that the federal government was going to breathe more heavily down the backs of all Central New York businesses and institutions holding or involved with U. S. contracts, in a stepped up move to enforce affirmative action programs.

At that time, a source at OFCCP in Syracuse said the target areas to be audited in the Mohawk Valley were banks, insurance and construction companies, colleges and universities, as well as industries doing business with Uncle Sam. The OFCCP spokesman then said his office would review all personnel practices and continue to monitor them.

Weber said that because the Oneida-Herkimer counties area was considered labor surplus, federal programs were being funneled here to create jobs.

"But the area has not been in compliance," he said.

He cited as an example that the construction trade was required to hire 6.9 percent women, based on the 1970 census. He added that while this may be considered high for that industry, "we must get some women on projects."

**Equal Opportunity
Employer****Minority Employment****Hire a Vet****Hire the Handicapped****Age No Barrier****Affirmative Action**

taking them in.

"Discrimination in the past has excluded them from unions," Weber said.

He added that OFCCP would be meeting with the unions in Oneida and Herkimer counties "at some future date" to determine whether they have met affirmative action regulations.

In addition to minorities, the affirmative action program requires that employment preference be given qualified disabled or Vietnam veterans. Additionally, under the Equal Employment Opportunity Act, employers cannot use age as a deterrent in hiring, or discriminate against women or the handicapped. A Supreme Court decision last June reinforced affirmative action in employment.

There are some exceptions for federal contractors. They do not have to list job openings if they plan to fill them through promotion, transfer or a layoff recall or the positions are for executives or professionals paid more than \$25,000 annually.

Meanwhile, a spokesman for the U. S. Labor Department's Employment Standards Administration regional office in New York, said that while OFCCP has been expanded, there was "no way it could monitor the entire affirmative action program."

"The OFCCP is a small organization with just a few people supervising," he said.

He said that while the organization has been beefed up with some additional staff, it still has to cover a big territory.

"We do what we can with what we have," he said.

The spokesman said that the U. S. Labor Department looks upon the city of Utica as the prime contractor in federally funded programs.

"It's the responsibility of the city to see that there is compliance," he said.

He implied that if compliance is not forthcoming, it was possible that the city could also lose any further federal funds.

He added, however, that suspension of federal funds would be a last resort.

Asked to comment on the city hiring Daryl Grant to check compliance with equal opportunity laws and no longer allowing contractors to begin work until they have submitted a hiring plan, the spokesman said:

"It doesn't get the city off the hook but it does show good faith."

City official says hiring

By DAVID GOLDSTON

On Nov. 18, Utica officials announced that they were cracking down on contractors who were not complying with federal guidelines requiring the hiring of minorities.

Yesterday, a U.S. Department of Labor official was in town to bring the same message to a group representing city officials, contractors, labor unions and community agencies.

Charles Weber of the labor department's Office of Federal Contract and Compliance Programs in Syracuse met in the Federal Building yesterday afternoon with about 20 local repre-

sentatives.

Weber said the purpose of the meeting was "to better lines of communications....The federal government has been remiss (in not monitoring the Utica area). Now we can say we showed you what to do; we told you what to do; now do it. We have to show (Utica contractors, officials and unions) that we mean business."

Daryl Grant, the city's contract compliance officer, said compliance has already improved slightly since the Nov. 18 meeting. He did not have statistics, but said there had been "slow improvement, but good improvement" in the number of complying con-

tractors. He said a minority subcontractor has been hired to do the painting at the Colonnade project beginning soon at Neisner's.

Grant also said he has sent a letter to one firm, accusing it of violating federal regulations requiring workers to be paid the prevailing union wage. He declined to name the firm.

Weber said his office would ensure that the city enforces federal "rules, regulations and laws" that require the hiring of minorities (blacks, Hispanics, American Indians, and Asian-Americans), women, the handicapped, disabled veterans and Vietnam era veterans for federally funded construction.

Utica, Wednesday, Dec. 10, 1980 * The Daily Press—9

compliance 'improving'

He said contractors who violate the federal directives can be barred from working on any other federally funded projects.

Weber also said the city could set any goal it wanted for minority hiring. Some contractors have complained because the city's goal is for 10 percent of the workers on a job to be minorities, while the federal goal for the Herkimer-Oneida County area is only 2.1 percent.

Michael Houseknecht, Utica's commissioner of urban and economic development, has said the city's goal is realistic and is based on the percentage of minorities in the city. Weber

said his office would enforce whatever goals the city set. "They could set a goal of 25 percent. The federal regulation is a minimum figure and is obsolete, anyway. It's based on bicounty figures from the 1970 census."

Houseknecht said the city has been cracking down on contractors. He said contractors are no longer allowed to proceed with a job before submitting an affirmative action plan. He also said he has formed a committee of 12 representatives of contractors, unions and community groups to find ways to improve compliance with federal hiring guidelines. The committee's first meeting is scheduled for Dec. 22.

Weber and participants at the meet-

ing also stressed that unions and community agencies must establish training programs for minorities and women and must advertise job openings.

He also said agencies, such as UCAI, which refer minorities to unions and contractors, have an obligation to prepare the people they refer. "The agencies shouldn't just drop the guy off at the job site. They should tell him what's expected of him and what materials he needs. He should introduce the new worker to the foreman and check periodically to make sure there are no problems with him. Otherwise, the contractors won't go to the agency for another referral," Weber said.

Contractors 'Have Met' Affirmative Action Goal

By CALVERT L. ASHER
Business Editor

"I know of no major contractors not now in compliance with the affirmative action program," a representative of the city's urban and economic development department said at the weekend.

His comments came in the wake of a mid-November crackdown by the city administration on contractors and subcontractors working on federally funded projects in the City of Utica who have failed to hire minority employees or use minority subcontractors. Such affirmative action is mandated by Uncle Sam for all contracts in which federal funds are involved. Violators could face "debarment" from any future U.S. government contracts. The city could also be threatened with the loss of further federal construction grants. A spokesman said federal construction grants given to the city had already totaled about \$10 million, of which about \$6 million has been spent.

At the time the city demanded that contractors comply, it was estimated that fewer than 50 percent had employed minorities.

Robert Shields, director of community development, said at the weekend that between 75 and 100 percent of the contractors and subcontractors working on federally funded city projects had now complied with affirmative action. At the same time, the city's compliance officer, Daryl Grant,

declined to identify those who had failed to comply.

Shields said the contractors came into line after the crackdown announcement, subsequent meetings with city and federal officials and newspaper articles pointing to the penalties the U.S. Labor Department's Office of Federal Contracts and Compliance Programs (OFCCP) in Syracuse could impose.

But before OFCCP came into the picture, the Utica Community Action Inc.'s (UCAI) executive director, Mary Taylor, and her manpower specialist and equal opportunity officer Jesse Pittman called upon the city to insist upon compliance.

UCAI's call for action came after Pittman said he had received complaints from minorities that jobs were not opening up for them on federally funded programs.

A spokesman for OFCCP, which is supposed to monitor affirmative action programs involving federal money, said then that his office "had not been as observant as we should have been." Charles Weber, assistant to Garland Sweeney, OFCCP district director, laid the blame on a "lack of communication in the Utica area." Weber said then that contractors had 30 days to comply with the affirmative action program or face "debarment."

Early last month, Weber came to Utica to meet with city officials, contractors, labor unions and community agencies.

He told the group that his agency had been remiss in not monitoring the Utica area, adding that now that they (the contractors) knew the requirements "we have to show that we (OFCCP) mean business."

An OFCCP spokesman said at the weekend that he expected the city would send his agency a list of those contractors still not in compliance so OFCCP could further investigate the reasons.

"We have to determine whether the construction contractors are covered by agreements with various union trades (under the Hometown Plan)," he said.

He said some contractors and/or subcontractors are not part of the Hometown Plan program. But, he said they are still subject to federal standards.

"We have to make a personal check first and determine the issues," the spokesman said.

He said there are two procedures, one administrative and the other judicial. In the administrative procedure, a complaint is governed by OFCCP rules and regulations. In the judicial move, the violator is brought before a federal judge, he said, and, depending upon the circumstances, the contractor could be removed from a contract award that involved federal money.

"That's part of the regulatory requirement," he said.

About 90 contractors had been working on the city's federally funded programs, including such projects as the Cosmopolitan Center, the Neighborhood Center, senior day centers, downtown sidewalk improvement, street repaving and neighborhood and park improvements. Funds came from Community Development and Economic Development Administration programs. About 200 workers were involved in these projects.

Grant, who was hired by the Utica administration to check compliance with equal opportunity laws, gave the \$10 million construction grant figure.

He said he would not release the names of the non-complying contractors because "it wouldn't be fair to them."

Robert Freeman, executive director of the state's Committee on Public Access to Records, said if a list of contractors who did not comply is available, it is a public record and should be released to the press.

Grant said that a Dec. 22 meeting at City Hall brought together contractors, union officials, UCAI representatives and others in the community.

He said that the meeting centered on minority participation in apprenticeship programs.

Grant said that the city is seeking funds from the U.S. Labor Department to launch apprenticeship programs such as bricklaying, carpentry and electrical work.

He was unable to provide a figure on the number involved in the apprenticeship program nor could he give a dollar value of the funds sought.

"It's still in the planning stages," Grant said.

He listed himself as among those representatives named to an affirmative action committee after the Dec. 22 meeting. Others are Dr. David Brown of the National Association for the Advancement of Colored People; Arcy Degni, president of the Utica Building Trades Council; Jack Endryck, executive director of the Mohawk Valley Builders Exchange; William Gaetano of Charles A. Gaetano Construction Corp.; Michael Houseknecht, city commissioner of urban and economic

development; Betty Jones of Corn Hill People United; Louis Joseph of the Bricklayers and Allied Craftsmen's Union Local 19; Bernie Kasby of the Plumbers and Steamfitters Union Local 79; Diane Messuri of Mohawk Valley Community College's vocational skills program; Joseph Miller, president of Uticon Corp.; James Searcy of Demika Construction, a minority contractor, and Shields.

He said another meeting of the committee is scheduled for Jan. 19 in the Common Council chambers at City Hall.

Grant said that contractors now must submit in advance work force sheets showing who is on the job, what skills are involved and whether minorities have been employed.

Grant said the U.S. Labor Department also requires that a monthly manpower utilization report be submitted by the contractor with a copy going to the city.

In addition to minorities, the affirmative action program requires that employment preference be given qualified disabled or Vietnam veterans. Additionally, under the Equal Employment Opportunity Act, employers cannot use age as a deterrent in hiring, or discriminate against women or the handicapped. A Supreme Court decision last June reinforced affirmative action in employment.

There are some exceptions for federal contractors. They do not have to list job openings if they plan to fill them through promotion, transfer or a layoff recall or the positions are for executives or professionals paid more than \$25,000 annually.



REGION II

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
NEW YORK REGIONAL OFFICE
26 FEDERAL PLAZA
NEW YORK, NEW YORK 10007

April 1, 1981

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

IN REPLY REFER TO:

2ES

Mr. Charles A. Gaetano
C.A. Gaetano Construction Corporation
1506 Whitesboro Street
Utica, New York 13502

Attention: Ms. Julie Booth, EEO Officer

Dear Mr. Gaetano:

Thank you for your prompt response to our request for documentation supporting your Corporation's utilization of minority contractors under the Community Development Block Grant Program.

We have examined the facts of the complaint filed against you under Title VI of the Civil Rights Act of 1964. We have concluded that the provisions of Title VI had not been violated.

We have, therefore, determined not to seek a resolution of the issues raised in the complaint. You are advised, however, that if the complainant considers our determination to be incorrect he has a right to seek further redress.

Thank you again for your cooperation.

Sincerely,

Earle W. Fisher
Regional Director
for Fair Housing and Equal Opportunity

RECEIVED

Gaetano Construction

APR 6 1981

APR 11 1981

2E-Fisher

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REGION II

26 FEDERAL PLAZA, NEW YORK, NEW YORK 10278

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE, \$300

45

POSTAGE AND FEES PAID
DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
HUD-401



Mr. Charles A. Gaetano
C.A. Gaetano Construction Corporation
1506 Whitesboro Street
Utica, New York 13502



RETURN RECEIPT REQUESTED

REGISTERED - RETURN RECEIPT REQUESTED

CERTIFIED NO. 271738

March 4, 1981

Department of Housing & Urban Development
New York Regional Office
26 Federal Plaza
New York, NY 10007

Attn: Mr. Earle W. Fisher
Regional Director
Fair Housing & Equal Opportunity

1506 Whitesboro St. • Utica, N.Y. 13502
Phone 315/733-4611

Re: Discrimination complaint against C. A. Gaetano Construction
by Demika Enterprises (James Searcy)

Investigator: Mrs. Patricia Webster

Dear Sir:

Upon receipt of your letter of February 11, 1981, we contacted Mrs. Webster at your office and she advised who the complaintant was. She stated she would contact me after she spoke with Mr. Searcy; which she did on February 25, 1981. Per her request, enclosed herewith you will find the following data.

PACKAGE NO. 1 - Ref. Clinton Manor Apartments
- Advertisements
- Demika Correspondence

PACKAGE NO. 2 - Gaetano Construction Affirmative Action Program, EEO letters, minority employees

PACKAGE NO. 3 - Clinton Manor Apartments Subcontractors w/backup

PACKAGE NO. 4 - Steinhurst Housing MBE and minority status.

PACKAGE NO. 5 - Canastota Elderly Housing MBE and minority status.

We trust this is the information you seek. We do not feel we have been discriminatory in any manner. We have advertised in all local papers and have dealt closely with Utica Community Action and the City of Utica EEO officer in trying to find qualified minority employees.

Please advise if further information is required.

Very truly yours,

CHARLES A. GAETANO CONSTRUCTION CORPORATION

Julie C. Booth

Julie C. Booth
EEO Officer

No. 271738

RECEIPT FOR CERTIFIED MAIL

**NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL
(See Reverse)**

SENT TO Dept. of HUD				
STREET AND NO. 26 Federal Plaza				
P.O., STATE AND ZIP CODE New York, NY 10007				
POSTAGE			\$ 1.86	
CONSULT POSTMASTER FOR FEES	OPTIONAL SERVICES	CERTIFIED FEE		.80
		SPECIAL DELIVERY		¢
	RETURN RECEIPT SERVICE	RESTRICTED DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED		.45 ¢
		SHOW TO WHOM, DATE, AND ADDRESS OF DELIVERY		¢
		SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		¢
		SHOW TO WHOM, DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		¢
TOTAL POSTAGE AND FEES			\$3.11	

POSTMARK OR DATE

3/4/81

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Put your name, address, and ZIP CODE in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



Charles A. Gaetano Construction Corp.

(Name of Sender)

1506 Whitesboro St.

(Street or P.O. Box)

Utica, NY 13502

(City, State, and ZIP Code)

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):
- ☒ Show to whom and date delivered..... .45 ¢
- ☐ Show to whom, date, and address of delivery. ¢
- ☐ **RESTRICTED DELIVERY**
Show to whom and date delivered..... ¢
- ☐ **RESTRICTED DELIVERY**
Show to whom, date, and address of delivery. \$ _____
- (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**

Dept. of Housing & Urban Development
N.Y. Regional Office, 26 Federal
Plaza, New York, NY 10007

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	271738	

(Always obtain signature of addressee or agent)

I have received the article described above:

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

3/6/81

POSTMARK

5. **ADDRESS** (Complete only if requested)

6. **UNABLE TO DELIVER BECAUSE:**

CLERK'S
INITIALS

Charles A. Gaetano Construction Corp.
1506 Whitesboro St.
Utica, NY 13502

March 4, 1981

CLINTON MANOR APARTMENTS, FRANKLIN AVE., CLINTON, NEW YORK
HUD #013-EH010-NP-WHA-L8

Attached herewith is all data pertaining to subject project.

Advertised in the Utica Observer Dispatch 9/20, 21, & 22, 1980
Advertised in the Rome Daily Sentinel 9/22, 23, & 24, 1980
(Attached: Our request to papers dated 9/19/80, Legal Notice and
notarized statement from each paper)

Sign-in-Sheet from those responding to ad. (Note: All were Small
Business Enterprises; the only Minority enterprise was Demika
Construction. His name and company was filled in by this office,
as he wrote a letter and did not sign sheet)

Demika Letter dated 9/25/80 responding to ad.

Gaetano Memo dated 10/1/80 to Demika.

Demika 10/24/80 Proposal on 4 items, labor only. Note: He was advised
to quote labor only on Sections 07311 and 08520 but all others were
to be labor and material; thus he updated his proposal.

Gaetano ltr. dated 11/17/80 to Demika. The reason for this letter is
his proposal gave no scope of work as you will note in other proposals.
He being basically a broker and no work force, we wanted to know who
would be doing the work quoted on, especially painting and carpet
installation, as these are critical items. On speaking with Mr. Traube
of his office, he did not know.

Gaetano ltr. dated 11/20/80 to Demika regarding his proposal.

Gaetano ltr. dated 1/20/81 to HUD-Buffalo regarding Demika Construction
in response to a telephone call from Mr. Martin to our office. The
City of Utica also filed a report by Daryl Grant, but we do not have
a copy.

PACKAGE NO. 1

Charles A. Gaetano Construction Corp.
1506 Whitesboro St.
Utica, NY 13502

March 4, 1981

CLINTON MANOR APARTMENTS, FRANKLIN AVE., CLINTON, NEW YORK
HUD #013-EH010-NP-WHA-L8

Attached herewith is the following data:

Charles A. Gaetano Construction Corp. AFFIRMATIVE ACTION PROGRAM.

Gaetano ltr. on EEO attached to all subcontract agreements.

Gaetano ltr. on EEO sent to all Unions with which we have bargaining agreements.

Gaetano ltr. sent to any subcontractors not complying with minority hiring.

Gaetano ltr. to all superintendents regarding minority workers.

Gaetano CC-257 Monthly Employment Utilization Report for Steinhorst Housing a federally funded project, for November, December 1980 and January 1981 showing minorities at job site. They are:

S. Perez - Carpenter - Hispanic
M. Smith - Laborer - Black
J. Taylor - Carpenter - Black
L. Thompson - Electrician - Black

On February 1981 report to be filed this week will be an additional 2:

J. Dixon - Carpenter Apprentice - Black
M. Massard - " " - Black

Gaetano CC-257 Monthly Employment Utilization Report for CLINTON MANOR September 1980 thru January 1981.

M. McCovery - Carpenter - Black
G. Norris, Jr. - Carpenter - Black
W. Sooks - Laborer - American Indian
A. McKinley - Laborer - Black
D. Harris - Carpenter - Black
H. Campos - Electrician - Hispanic
M. Ferrare - Laborer - Woman
Y. Chargo - Carpenter - Woman

PACKAGE NO. 2

Charles A. Gaetano Construction Corp.
1506 Whitesboro St.
Utica, NY 13502

March 4, 1981

CLINTON MANOR APARTMENTS, FRANKLIN AVE., CLINTON, NEW YORK
HUD #013-EH010-NP-WHA-L8 (100 units elderly housing, federally funded)

SUBCONTRACTORS AT ABOVE PROJECT PER DIVISION NO. OF SPECIFICATIONS: (w/attachments)

<u>DIVISION</u>	<u>SUBCONTRACTOR</u>	<u>SUBCONTRACT PRICE</u>
2 - Sitework	Button Chittenango, 303 Tuscarora Rd. Chittenango, NY (This was pre-negotiated and they worked with us on putting total package together in order to arrive a pre-determined construction cost)	\$169,000
2 - Paving	Costello Blacktop, Herkimer Rd., Frankfort, NY (Attached: Reed Paving for 32,801 - WBE Murray's Paving for 64,472)	32,650
3 - Concrete	By Gaetano Construction	
4 - Masonry	Materials by Gaetano, labor only J. Spataro	48,000
5 - Metals	By Gaetano Construction	
6 - Carpentry	S D & F - an <u>MBE</u> for installation of wood trusses Barden & Robeson - Materials only - All carpentry work by Gaetano	3,000
7 - Roofing & Siding	Montero Enterprises - <u>MBE</u> - 1710 Whitesboro St. Utica, NY Change Order	7,650 Roofing 14,434 Siding
<u>NOTE:</u> Demika quote for installation of roofing was \$13,866.92, versus \$7,650. Also attached: Houghton Roofing quote of \$11,520 Houghton Siding quote of \$17,250 F & W Roofing @ \$18/Square vs Montero @ \$15/Square National Insulation Siding of \$17,200		
8 - Doors, Windows & Hardware	All work by Gaetano Construction - purchase of materials only.	
9 - Carpeting, Resilient, Rods, Shades	Enjem's Inc., 110 E. State St., Herkimer, NY Also attached: Straight-Line Tile Resilient @ 58,820 Carpeting @ 19,600 Keates - Resilient @ 67,860 Brownie: Carpet @ 16,875 Resilient @ 59,742	79,371

SUBCONTRACTORS CONTINUED:

<u>DIVISION</u>	<u>SUBCONTRACTOR</u>	<u>SUBCONTRACT PRICE</u>
<p>Note: All Carpet & Resilient bids were from carpet dealers, with breakdowns. When we asked Mr. Traube of Demika who carpet installer would be, he did not know. Being the prime contractor and responsible for our subs, we must know who will do the work, if they are qualified, etc.</p>		
9 - Acoustical	C. J. Milograno, 316 Ontario St., Utica, NY	\$ 7,000
9 - Metal Furring, gypsum drywall, insulation, taping	by J. V. Sgroi Co., 2017 Teall Ave. Syracuse, NY	250,000
9 - Ceramic Tile	Dick Tile & Marble Co., 1006 St. Vincent St. Utica, NY Attached: Keates @ \$20,244	17,567
9 - Painting	DiNicola & Ricci, 1506 Whitesboro St., Utica, NY Attached: Sparkle Painting \$67,777 Montero - <u>MBE</u> \$117,379 Northeastern \$ 60,500	58,000
<p>Note: Again Demika would not advise who would be doing the painting to see if they were qualified and could do a project of this size.</p>		
10 - Specialties	- All work by Gaetano Construction. Material buys only.	
11 - Appliances	- Mat'l buy - General Electric	
12 - Cupboards	- Mat'l buy - Installation by Gaetano	
14 - Elevator	- Otis Elevator, Commercial Drive, Yorkville, NY	21,198
15 - Plumbing	- Armani Plbg., 108 Factory Ave., Syracuse, NY	182,000 *
16 - Electrical	- Donohoe Electric, 4000 Milton, Syracuse, NY	218,500 *
<p>* Negotiated with Gaetano to put entire package together.</p>		

SUBCONTRACTORS CONTINUED:

Note: Referring to Section 08520 of Demika Proposal, Gaetano Construction elected to install windows themselves as his cost was \$10,622 and attached Montero Enterprises (MBE) was \$6,028. It could be done cheaper by our own forces.

We would like to state at this time that Demika Enterprises has no office, per se, only a P.O. Box. We knew of no work force; thus all his items of work would be subbed out, but had no knowledge of who his subs would be, any breakdown or description of work involved, what materials would be supplied etc. I spoke with Mr. Robert Traube and Mr. Wayne Tatro his advisors who called this office, and they could not provide any answers.

There were additional quotes received on some items of work, but the prices were out-of-line compared to what was awarded.

PACKAGE NO. 3

Charles A. Gaetano Construction Corp.
1506 Whitesboro St.
Utica, NY 13502

March 4, 1981

Also requested by Mrs. Patricia Webster, was status of any other projects we may be working on involved minorities or MBE's.

STEINHORST HOUSING, South & St. Vincent St., Utica, NY (100 units elderly - federally funded)

1. Legal Notice placed in Utica Observer Dispatch.
2. Notification to Labor Unions

All subcontracts have not yet been awarded.

Div. 2 - Paving - Attached are letters to (4) Minority Business Enterprises for this work. Bids not in yet.

All concrete, masonry, and carpentry work being done by Gaetano Construction forces.

Roofing - Pulver Roofing Co., 1418 Erie St., Utica, NY - \$33,356.00
Quotes attached from Rieben \$38,880
Continental Roof - \$37,000

Attached is letter to Mr. Grady Tanner, an MBE Painter for various portions of painting work at subject project. To date we have not received his quotation.

Attached are quotes from Montero Enterprises an MBE, for sheetrock, insulation, taping, metal studs for "A" & "B" Bldgs. - Total \$486,555. Awarded to J. V. Sgroi for \$442,000.

In Package No. 2 attached shows our labor workforce breakdown for minorities on our CC-257 reports.

PACKAGE NO. 4

Charles A. Gaetano Construction Corp.
1506 Whitesboro St.
Utica, NY 13502

March 4, 1981

Another 100 unit elderly housing project we are presently working on is CANASTOTA ELDERLY HOUSING, Lamb & Deppoliti Ave., Canastota, NY. Construction has not yet started. Spring construction is anticipated. Bids are now being received. There is no workforce as yet.

1. Legal notices for MBE's placed in Oneida Daily Dispatch, Rome Daily Sentinel, Utica Observer Dispatch & Canastota-Bee Journal.
2. Sign in Sheet responding to ad. None were MBE's, only small businesses.
3. Paving: Attached are transmittals and/or letters to MBE enterprises.
Reed Paving - WBE
Bargabos Construction - no bid received as yet
Hill Driveway Maintenance
BBL Paving
Wong-Foo Construction - no bid received as yet
4. Correspondence with McConnell Masonary an MBE - no quote as yet.
5. Correspondence with C. Jackson Roofing - no quote as yet (MBE)
6. Correspondence with Ontario Painting - no quote received. (MBE)
7. Painting subcontract to Northeastern for \$57,465.

Attached: Galavotti Painting - \$72,800
Eastern 62,000
DANA PAINT (MBE) 102,924

Also attached are letters from the Recruitment and Training Program dated 10/10/80 which assist contractors in hiring of minorities. Our answer to them of 10/21/80; and February 20, 1981 setting up meeting.

PACKAGE NO. 5



February 11, 1981

IN REPLY REFER TO:
2ES
Complaint No.
02-81-02-020-300

Dear Mr. Gaetano:

The Departmental Regulations implementing Title VI of the Civil Rights Act of 1964 provide for a prompt investigation whenever a complaint or any other information indicate a possible failure to comply with the nondiscrimination requirements of each of these laws.

Mrs. Patricia Webster of my staff has been assigned to investigate this complaint and will be contacting you within the very near future. If you have any information you wish to convey, please feel free to contact Ms. Webster at (212) 264-8064 or writing to the above address.

Thank you for your cooperation in this matter.

Sincerely,

Earle W. Fisher

Earle W. Fisher
Regional Director
for Fair Housing and Equal Opportunity

Gaetano Construction

FEB 17 1981

2,9,10,11,12,1,2,9, 4,5

2E-Fisher

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
REGION II

26 FEDERAL PLAZA, NEW YORK, NEW YORK 10278

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



87

CLAIM CHECK NO. **243486**

DATE ☐ HOLD

1ST NOTICE	2ND NOTICE	RETURN
2	17	23
W	N	5

Dispatched from
PS Form 3989-A
Jul 1977

close

w/c

Mr. Charles A. Gaetano
C.A. Gaetano Construction Corp.
1506 Whitesboro Street
Utica, N.Y. 13502

POSTAGE AND FEES PAID
DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT
HUD-401



CERTIFIED

No. 247814

MAIL

RETURN RECEIPT REQUESTED